

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 TRSE-00 COME-00 CIAE-00 INR-07

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DRAFTED BY EB/OT/STA:EGCONSTABLE:CLJ

APPROVED BY EB/OT/STA:WCLARK,JR.

TREASURY:POSUCHMAN

EUR/EE:DMILLER

EB/ITP/EWT:MLORIMER(INFO)

COMM:BEWT/EE:SLOTARSKI(SUBS)

----- 021289

P 142123Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW PRIORITY

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E.O. 11652:N/A

TAGS:ETRD, PL

SUBJECT: ANTIDUMPING -- POLISH GOLF CARS

REFS: (A) WARSAW 2287; (B) WARSAW 2870; (C) WARSAW 2430

1. ON MAY 13 COMMERCE INFORMED POLISH EMBASSY THAT USG WOULD BE WILLING TO PARTICIPATE IN AN AD HOC WORKING GROUP MEETING WITHIN FRAMEWORK OF JOINT COMMISSION AS REQUESTED IN REFTEL (A). HOWEVER, LETTER FROM ACTING SECRETARY TABOR TO DEPUTY CHAIRMAN OLSZEWSKI ACCEDING TO POLISH REQUEST EMPHASIZES THAT MEETING COULD NOT INTERVENE IN PENDING ANTIDUMPING PROCEEDINGS OR INFLUENCE DECISIONS MADE IN GOLF CAR CASE. DATES TENTATIVELY PROPOSED ARE MAY 22, 23, 27 OR 28. FULL TEXT OF LETTER BEING SENT SEPTEL.

2. WITH REGARD TO RECOMMENDATION REFTEL (B) THAT OFFICIAL
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VISIT WARSAW TO DISCUSS CASE, WE BELIEVE PARTICIPATION BY

TREASURY REPRESENTATIVES IN MEETING OF WORKING GROUP BEST APPROACH. SUCHMAN HAS AGREED TO ATTEND APPROPRIATE SESSIONS. TREASURY OFFICIALS HAVE IN THE PAST MADE THEMSELVES AVAILABLE TO POLISH EMBASSY OFFICIALS WHENEVER THEY HAVE REQUESTED MEETINGS, AND THEY WILL CONTINUE TO DO SO.

3. POLISH ALLEGATIONS IN REFTEL (C) ARE NOT ACCURATE. THERE HAVE BEEN NO UNUSUAL "OUTSIDE PRESSURES" BROUGHT IN CASE. CONGRESSIONAL INTEREST IN SUPPORT OF DOMESTIC INDUSTRY HAS BEEN MINIMAL, AND HAS HAD NO EFFECT ON TREASURY PROCEEDINGS. BURDEN OF PROOF REQUIRED OF POLES IS TYPICAL OF THAT REQUIRED IN THIS TYPE OF DUMPING INVESTIGATION. ON CANADIAN STUDY, TREASURY CANNOT ACCEPT CLAIMS OF A PARTY IN INTEREST AS BASIS FOR ADJUSTMENTS TO MARGINS OF SALES AT LESS THAN FAIR VALUE UNLESS THESE CLAIMS ARE SUBSTANTIATED. WITH REGARD TO POLISH CONCERN REFTEL (B) THAT TREASURY WILL BASE DECISION IN PART ON DATA SUPPLIED BY U.S. PRODUCER, EMBASSY MAY ASSURE POLES THAT ANY DATA USED AS BASIS FOR TREASURY FINDING INDEPENDENTLY VERIFIED FOR ACCURACY. KISSINGER

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Margaret P. Grafeld
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